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Serial Number: 10/814,983   Dkt: 1565.069US1
Filing Date: March 31, 2004
Title: TECHNIQUES FOR SECURELY ACCELERATING EXTERNAL DOMAINS LOCALLY

REMARKS

This responds to the Office Action mailed on February 1, 2008.

Claims 1, 8, 15, 21, and 24 are amended; claims 3, 16, and 23 are hereby cancelled without prejudice to the Applicant; as a result, claims 1-2, 4-15, 17-22, and 24-26 are now pending in this application.

The amendments are being made to place the present application in condition for allowance. Moreover, Applicant does not believe that the amendments necessitate any new searching; therefore, Applicant believes that entry of the amendments is appropriate and respectfully requests an indication of the same.

Example support for the amendments may be found in a variety of locations throughout the original filed specification. By way of example only, the Examiner's attention is directed to the original filed specification page 3 last full paragraph lines 19-30; page 7 last full paragraph 28-31; page 9 first full paragraph lines 1-9; *etc*.

§102 Rejection of the Claims

Claims 1-26 were rejected under 35 U.S.C. § 102(b) based upon a public use or sale of the invention ("Netscape Proxy Server Administrator's Guide Version 3.5 for Unix", http://developer.netscape.com/docs/manuals/proxy/adminux//contents.htm, (1997)). It is of course fundamental that in order to sustain an anticipation rejection that each and every limitation in the rejected claims must be taught or suggested in the cited reference in the exact detail and identical arrangement.

Here, the Netscape reference (specifically the primary chapter (14) recited by the Examiner) details a technique to set up a reverse proxy via a Netscape browser to authenticate client communications and content server communications. However, the client authenticates to the Netscape proxy and then the Netscape proxy authenticates to the content server. In other words, the Netscape proxy does not authenticate the content server, it is the other way around in the cited reference, such that it is the content server that authenticates the proxy. The Applicant invites the Examiner to re-review chapter 14 of the Netscape reference to validate this contention of the Applicant where it is clearly

seen the content server is the one that authenticates the proxy and not the other way around.

Another point is that at no time in the Netscape reference does the proxy every actually vend a content server certificate to the client. If this is necessary it is presumed in the reference that the client has pre-acquired the content server certificate. The proxy does not vend the content server certificate to the client. Again, the Applicant respectfully requests that the Examiner please detail where in the Netscape reference that the Examiner believes the proxy vends a content server's certificate to a client. Applicant asserts that this does not occur and is not advocated in the Netscape reference anywhere at all.

Applicant notes that pages 3-4 of Chapter 14 does not state that the reverse proxy presents itself as the content server only that a server is being established as a reverse proxy that needs its own certificate from a certificate authority. No where in this reference is there any notion that the reverse proxy vends the certificate of the content server to a client to present itself as the content server. The reverse proxy presents itself as the reverse proxy not as the content server and does not vend the certificate of the content server to the client.

Therefore, the Netscape reference does not anticipate the independent claims and the rejections of record should be withdrawn. Applicant respectfully requests that the claims be allowed.

§103 Rejection of the Claims

Claims 1-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Birrell et al. (U.S. 5,805,803) in view of "Netscape Proxy Server Administrator's Guide Version 3.5 for Unix", http://developer.netscape.com/docs/manuals/proxy/adminux//contents.htm, (1997). To sustain an obviousness rejection each and every claim limitation must be taught or suggested in the proposed combination of references.

Here, as stated above the Netscape reference fails to have its described reverse proxy present itself as the content server by using a certificate of that content server. The arrangement discussed in the Netscape one is one in which the reverse proxy itself

acquires its own certificate via a certificate authority and presents that to the client. The reverse proxy does not present and vend the certificate of the content server to the client. If the client possesses this at all the client apparently is preconfigured with that certificate and the entire Netscape reference is devoid of any teaching to the contrary.

Consequently, the rejections of record should be withdrawn and the claims allowed. Applicant respectfully requests an indication of the same.

Reservation of Rights

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action, however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record is relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

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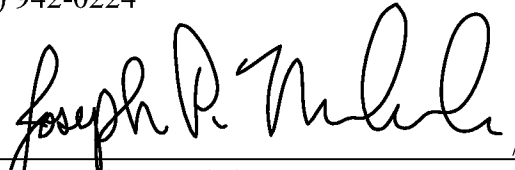
CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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